

Message Text

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PAGE 01 KABUL 04465 281022Z
ACTION SCS-05

INFO OCT-01 NEA-10 ISO-00 SCA-01 L-03 H-02 DHA-02
/024 W

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P 280530Z JUN 77
FM AMEMBASSY KABUL
TO SECSTATE WASHDC PRIORITY 3297

UNCLAS KABUL 4465

FOR SCS

E.O. 11652: NA
TAGS: CARR
SUBJ: LEGAL REPRESENTATION AVAILABLE TO AMERICANS ARRESTED
ABROAD

REF: STATE 147707;

1. QUESTIONS IN REFTEL TAKEN UP WITH MR. HASRAT, DIRECTOR OF
THE CONSULAR SECTION, MINISTRY OF FOREIGN AFFAIRS, WHO
PROVIDED THE FOLLOWING INFO:

2. HASRAT INDICATED THAT, ACCORDING TO AFGHAN LAW, A
PARTICIPANT IN A CIVIL OR CRIMINAL PROCEEDING WHO IS WITHOUT
FUNDS WILL HAVE AN ATTORNEY APPOINTED FOR HIM. THIS PROCEDURE
IS AUTOMATIC FOR ANYONE WHO FACES TRIAL WITHOUT FUNDS TO
FIND HIS OWN LAWYER, AND IS APPLIED BOTH FOR AFGHANS AND
FOR FOREIGN NATIONALS. ATTORNEYS ARE APPOINTED FROM THOSE
PRACTICING IN THE COMMUNITY, AND THEREFORE THE QUALITY OF PUBLICLY
FUNDED LEGAL ASSISTANCE WOULD COMPARE FAVORABLY TO THAT
OF PAID, PRIVATE COUNSEL.

3. COMMENT: CONOFFS HAVE HAD OCCASION TO DISCUSS LEGAL
PROBLEMS OF AMERICANS WITH LAWYERS PRACTICING IN KABUL. THESE
PROBLEMS ALMOST EXCLUSIVELY CONCERN DRUG RELATED OFFENSES,
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AN AREA IN WHICH LAWYERS FEEL THEY ARE ABLE TO PROVIDE ALMOST
NO USEFUL ASSISTANCE. ACCORDINGLY, AMERICANS BROUGHT UP ON
NARCOTICS OFFENSES ALMOST INVARIABLY GO TO TRIAL WITHOUT
LEGAL COUNSEL. END COMMENT.
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Message Attributes

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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
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Disposition Reason:
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